IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2958 OF 2005

Shri Sudhir Hemant Gore ..Petitioner

Vs.

The District Judge, Sangli and anr. ..Respondents

Mr. M.S. Karnik for petitioner.
Mr. M.P. Thakur, AGP for respondent nos.1 and 2.

CORAM: B.H. MARLAPALLE &
N.H. PATIL, JJ.

Date : September 04, 2006.

P.C.:

1. We have heard Mr. Karnik the learned counsel for the petitioner and the learned AGP. We have also perused the affidavit in reply filed by the Registrar (Legal) of this Court.

2. Though the grievance raised in this petition is against an order of compulsory retirement passed under Rule 10 (4) read with Rule 65 of the Maharashtra Civil Services (Pension) Rules 1982, we are of the view that the petitioner should be given an opportunity to file a departmental appeal in which the record could be seen by the appellate authority.

3. The petition is, therefore, disposed as withdrawn with liberty to file an appeal. If such an appeal is filed within a period of six weeks from today, it be decided on its own merits expeditiously.

(N.H. Patil, J.) **(B.H. Marlapalle,J.)**